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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

v.

DEMEX ENGINEERING, INC., a California
Corporation; and UWE GUEHNEMANN, an
individual,

Defendants.

Case No.: CV 08 4215 MEJ

**NOTICE OF BANKRUPTCY FILING;
AUTOMATIC STAY**

Plaintiffs Board of Trustees of the Laborers Health and Welfare Trust Fund for Northern California, Board of Trustees of the Laborers Vacation-Holiday Trust Fund for Northern California, Board of Trustees of the Laborers Pension Trust Fund for Northern California and Board of Trustees of the Laborers Training and Retraining Trust Fund for Northern California ("Laborers Trust Funds") hereby notify this Court that on October 3, 2008, Demex Engineering, Inc. filed its Notice of Bankruptcy, Ch. 11, in the United States Bankruptcy Court, Northern

1 District of California, Case No. 08-31873 TEC. A true and correct copy of the Notice of
2 Bankruptcy Case Filing is attached as Exhibit A to the Declaration of Ronald L. Richman re
3 Notice of Automatic Stay. This action should therefore be stayed as to Defendant Demex
4 Engineering, Inc. pursuant to 11 U.S.C. § 362(a).

5 In the current action, Plaintiffs Laborers Trust Funds seek an audit of Demex
6 Engineering, Inc. to verify the outstanding employer contributions due and owing Plaintiffs
7 Trust Funds. Bankruptcy counsel for Demex Engineering, Inc. has allowed the audit and the
8 audit will take place on November 10, 2008.

9 Although Defendant Uwe Guehnemann has not filed for bankruptcy protection, the
10 claims against him, individually, are derivative of the claims against Demex Engineering, Inc.
11 and therefore, Plaintiffs Laborers Trust Funds recommend that the entire action be stayed
12 pending the bankruptcy of Demex Engineering, Inc.

13 DATED: October 13, 2008

14 BULLIVANT HOUSER BAILEY PC

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16 By Ronald L. Richman
17 Ronald L. Richman

18 Attorneys for Plaintiffs Laborers Trust Funds

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23 Dated: October 29, 2008

